

REMARKS

This Response and Amendment is filed in response to the Office Action dated November 29, 2006.

Claims 1, 3, 4, 6-12, 14-18, 21, 36, and 43-51 are pending in this application. By this Amendment, Claims 1, 3, 4, 6-12, 14-18, 21, 36, and 43-51 are cancelled, and Claims 52-65 are newly added. Claims 52-65 are presented for consideration by way of the present Amendment.

On page 2 of the Office Action, the drawings are objected to under 37 C.F.R. § 1.83(a). Specifically, the Examiner states that the “front panel integrally molded as one piece with the base,” as claimed in Claim 21, is not shown in the drawings. By this Amendment, Claim 21 is cancelled, thereby rendering moot the Examiner’s objection to the drawings under 37 C.F.R. § 1.83(a).

On page 3 of the Office Action, Claim 9 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Examiner states that the scope of Claim 9 is not commensurate with that stated in the paragraph beginning on page 1, line 22 of the amended specification. By this Amendment, Claim 9 is cancelled, thereby rendering moot the Examiner’s 35 U.S.C. § 112 rejection of Claim 9.

Also on page 3 of the Office Action, Claims 1-4, 6, 7, 12, 14-16, 21, and 43-44 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,375,437 issued to Nolan. On page 7 of the Office Action, Claims 46-51 are rejected under U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,771,889 issued to Hobart. On page 9 of the Office Action, Claims 8 and 17-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nolan in view of U.S. Patent No. 5,205,711 issued to Raczykowski. On page 11 of the Office Action, Claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nolan in view of U.S. Patent No. D463,888 issued to Rehkugler et al. (hereinafter “Rehkugler”). Also on page 11 of the Office Action, Claim 36 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nolan. Also, on page 11 of the Office Action, Claim 45 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nolan in view of Hobart.

By this Amendment, Claims 1, 3, 4, 6-12, 14-18, 21, 36, and 43-51 are cancelled, thereby rendering moot the Examiner's rejections under 35 U.S.C. §§ 102 and 103.

Newly-added independent Claim 52 recites (underlining added for emphasis):

A pressure washer frame comprising:
 a base defining a first plane and configured to support a power unit;
 four legs extending from the base;
 a support coupled to each of the respective legs, each support configured to support the legs on a surface;
 a handle coupled to the base, the handle including
 an upper end;
 a first support member extending between the upper end and the base, the first support member defining a first axis;
 a second support member extending between the upper end and the base, the second support member defining a second axis;
 wherein the first and second axes lie in a second plane that intersects the first plane, wherein the first support member is configured to form a first acute included angle (C) with the first plane that lies in the second plane, wherein the second support member is configured to form a second acute included angle (D) with the first plane that also lies in the second plane, and wherein the second plane is configured to form a third acute included angle (H) with the first plane.

For purposes of clarity, the Applicants have included reference characters identifying the respective angles claimed in independent Claim 52 and in other claims ultimately depending from independent Claim 52 in accordance with §§ 608.01(m) and 2173.05(s) of the MPEP.

Nolan does not teach or suggest a pressure washer frame including a base defining a first plane, four legs extending from the base, a support coupled to each of the respective legs, and a handle including an upper end, a first support member extending between the upper end and the base and defining a first axis, and a second support member extending between the upper end and the base and defining a second axis, in which the first and second axes lie in a second plane, in which the first support member is configured to form a first acute included angle (C) with the

first plane that lies in the second plane, and in which the second support member is configured to form a second acute included angle (D) with the first plane that also lies in the second plane. Rather, Nolan discloses an air compressor assembly 10 including a tubular frame structure 12 having an upper handle portion 66 and downwardly-extending leg portions 64 (see FIG. 1). The frame structure 12 also includes a pair of base frame members 48 that supports an air compressor unit 14. The base frame members 48 are connected to the leg portions 64 by respective upright frame members 50 and junctures 52 (see FIGS. 1 and 4). As shown in FIGS. 2 and 3 in Nolan, the leg portions 64 are parallel.

On page 4 of the Office Action, the Examiner identifies the tubular base frame members 48 in Nolan's frame structure as the claimed "base." The Examiner also identifies on pages 4 and 6 of the Office Action the leg portions 64 in Nolan's frame structure 12 as the claimed "first and second support members." Assuming that the tubular base frame members 48 define a first plane, which the Applicants respectfully submit is not taught or suggested by Nolan, Nolan fails to teach or suggest that the axes of the respective leg portions 64 lie in a second plane, and that the respective leg portions 64 form acute included angles with the first plane that lie in the second plane. On page 7 of the Office Action, the Examiner illustrates two instances where the leg portions 64 form acute angles with respect to an axis substantially parallel to the base frame members 48. The Applicants respectfully submit that these illustrations by the Examiner do not anticipate the claimed acute included angles (C, D) in newly-added Claim 52 because the illustrated axes (shown by facing arrows) do not lie in the same plane. Furthermore, if the Examiner were only to consider parallel sections of the respective leg portions 64 (e.g., the sections of the leg portions 64, on either side of the handle portion 66, that correlate with the lower-most diagonal arrow sketched by the Examiner on page 7 of the Office Action), these sections of the leg portions 64 define respective axes that appear to lie in a second plane, and these sections of the leg portions 64 form angles that are perpendicular with the first plane (defined by the base frame members 48, as discussed above) that lie in the second plane.

Neither Hobart, Raczykowski, nor Rehkugler, alone or in combination with Nolan, teach or suggest the pressure washer frame claimed in newly-added independent Claim 52. The same

arguments presented against Nolan apply with equal weight to Hobart, Raczykowski, and Rehkugler.

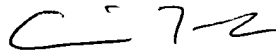
Accordingly, the Applicants respectfully submit that newly-added independent Claim 52 is in condition for allowance.

Claims 53-65 are each ultimately dependent upon newly-added independent Claim 52, and are believed to be allowable based upon Claim 52 and upon other features and elements claimed in Claims 53-65 but not discussed herein.

CONCLUSION

In view of the amendments and remarks presented herein, it is respectfully submitted that the claims as amended are in condition for allowance. The Applicants kindly request that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



Casimir F. Laska
Reg. No. 30,862

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
262.956.6507